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Examiner: Marsh, Steven M

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REMARKSAmendments to the claims

Claims 1-8 are pending in the application. Claim 1 has been amended. New claims 9-15 have been introduced. No new matter has been added.

Claims 1, 3 and 5 (Westland)

In the Action, the Examiner rejects claims 1, 3 and 5 under 35 USC § 102(b) as being anticipated by Westland (U.S. Pat. No. 5,366,197). Applicants respectfully disagree.

Claim 1 as amended recites "*a first stand; a second stand . . . ; and a main body selectively supported only by the second stand while the first stand is connected to the second stand or merely by the first stand.*"

In the Action, the Examiner states that "Westland discloses a first stand and a second stand (12) detachably connected to the first stand." Further, the Examiner states that "a main body (56) [is] selectively supported by the second stand while the first stand is connected to the second stand" (emphasis added). Applicants respectfully disagree. In Westland, there is no selection that can be made to support element 56. Element 56 is always supported by element 12. See also column 3, lines 21-26 of Westland: "A front mounting plate 56 mounts within a shallow rectangular recess formed within front surface 24 of planar support 12 (see also FIG. 1). During assembly, once nut 44 is inserted within track 42, plate 56 is securely mounted to front surface 24" (emphasis added).

Additionally, Applicants note that the Examiner has not considered, in the Action, the wording "or merely by the first stand" of claim 1. Applicants submit that the presence of the term "selectively" in claim 1 requires the Examiner to also ascertain whether such selectivity is disclosed or not in Westland. To this effect, Applicants call to the attention of the Examiner the fact that in Westland element 56 can never be "selectively supported .

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... merely by the first stand." To the contrary, element 56 is always supported by planar support 12, i.e. the second stand in the words of the Examiner, as shown, for example, in the above mentioned passage of Westland.

Should the Examiner disagree with the Applicants, the Examiner is respectfully requested to clearly and specifically point out to the Applicants, where the above features of claim 1 are shown or taught in Westland, in accordance with 37 CFR § 1.104(c)(2).

Therefore, Applicants respectfully submit that claim 1 is novel over Westland, together with claims 3 and 5 by virtue of their dependence on claim 1.

Claims 1, 2, 4 and 6-8 (Huang)

In the Action, the Examiner rejects claims 1, 2, 4 and 6-8 under 35 USC § 102(e) as being anticipated by Huang (U.S. Pat. No. 6,478,275). Applicants respectfully disagree.

Claim 1 as amended recites *"a first stand; a second stand detachably connected to the first stand; and a main body selectively supported only by the second stand while the first stand is connected to the second stand or merely by the first stand."*

In the Action, the Examiner states that "Huang discloses a flat display with a first stand (40) and a second stand (30) detachably connected to the first stand" (emphasis added). Applicants respectfully disagree. At column 4, lines 23-25, Huang recites that "the arm 30 and the lever 40 form the two parallel sides of the parallelogrammic structure of the support device, and the lengths of the arm 30 and the lever 40 will not be changed." It follows that arm 30/lever 40 are pivotally secured in Huang, differently from what recited in claim 1 of the present application.

Further, claim 1 recites *"a main body selectively supported only by the second stand while the first stand is connected to the second stand"*. In the Action, the Examiner states that "a main body (20) [is] selectively supported by the second stand while the first stand is

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connected to the second stand" (emphasis added). Applicants respectfully disagree. In Huang there is no selection that can be made to support the main body 20. The bracket 20 is always supported through the combination arm 30/lever 40. See, for example, column 4, lines 4-8 of Huang ("allowing the arm 30 and the lever 40 to be rotated relative to each other and to be rotated relative to the base 10, and for adjusting the bracket 20") or column 4, lines 35-38 of Huang ("such that the bracket 20 and the object 60 may be maintained at the predetermined direction relative to the base 10 when the arm 30 and the lever 40 are rotated and adjusted relative to the base 10"). Should the Examiner disagree with Applicants, the Examiner should show to the Applicants where Huang discloses or teaches "*a main body selectively supported only by the second stand.*"

Still further, similarly to what done with reference to Westland, the Examiner has not considered, in the Action, the wording "*or merely by the first stand*" of claim 1. Applicants submit that the presence of the term "*selectively*" in claim 1 requires the Examiner to also ascertain whether such selectivity is disclosed or not in Huang. To this effect, Applicants call to the attention of the Examiner the previously cited passage at column 4, lines 23-25 of Huang. Should the Examiner disagree with the Applicants, the Examiner is respectfully requested to clearly and specifically point out to the Applicants, where the above features of claim 1 are shown or taught in Huang, in accordance with 37 CFR § 1.104(c)(2).

Therefore, Applicants respectfully submit that claim 1 is novel over Huang, together with claims 2, 4 and 6-8 by virtue of their dependence on claim 1.

New claims

Applicants have introduced new claims 9-15. Applicants submit that new claims 9-15 are novel over Westland and Huang. No new matter has been introduced by these claims.

Applicants submit that all claims of the application as amended herein are in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

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The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax no. (703)-872-9326 on

Respectfully submitted,

September 24, 2004

(Date of Deposit)

Susan Papp

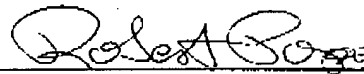
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